

TESTIMONY

Before Michigan House Agriculture Committee – March 21, 2006

The Michigan Wildlife Conservancy has been studying the cougar in Michigan for the past eight years. We have found compelling evidence that the big predators roam parts of Michigan, and have become keenly aware that confusion about cougars has driven a wedge between state government and the public. We testify here today in support of the bill you are considering – it is an important first step to restoring common sense to management of this rare predator.

The Wildlife Conservancy was founded in 1982 by Russ Bengel, an industrialist and well-known conservationist from Jackson, and a handful of others with a love for Michigan's wildlife resources. One of those was Dan Robbins, who was extremely active in several conservation organizations. In his later years, Dan resided in the Iron River area of the Upper Peninsula. He became dismayed at how citizens were being treated when they reported sightings of cougars – subjected to ridicule, even called liars by state officials. Dan asked the Wildlife Conservancy to look into the matter and we eventually did so, not just because of concern for the cougar, an endangered species, but because of concern for our state's citizens. That's still the spirit behind our involvement in cougar research and it's the spirit behind our presence here today. Here's some of what we learned at Dan's urging.

Distinct areas of Michigan have long histories – 50 years or more – of cougars sighting reports. For example, in the Lower Peninsula's Alcona County, hundreds of sighting reports date to at least the 1930s, and there is some corroborating physical evidence. A very clear and close-up photo of a cougar lying in ferns and grass was taken by Jim Deutsch, of Curran, in the summer of 1997. It was reviewed by numerous wildlife biologists, was published in the September 13, 1997 front page of the Detroit Free Press, and hung on a Michigan Department of Natural Resources office wall for several years.

Four years earlier, a photo of a cougar standing by a tree along a stream had been taken by George White about 5 miles to the west, across the Oscoda County line. Mr. White was carrying a camera while deer hunting because numerous cougar tracks had been reported in that area. We verified that the Deutsch and White photos are authentic documentations of cougar sightings in Michigan.

In 1998, MDNR wildlife biologist Larry Robinson reported seeing a cougar about 10 miles to the south of the 1993 and 1997 photo sites. He photographed its tracks and sent a memo to his supervisors in which he told of the sighting and asked how to get the information into Wildlife Division files without the media finding out. That same year, another MDNR wildlife biologist, John Royer, claimed to have found cougar tracks within about 12 miles of where Jim Deutsch's photo was taken.

In 2001, in the same general area, the Michigan Wildlife Conservancy found cougar tracks and scat verified as that of cougar by DNA analyses by Central Michigan University's Wildlife Genetics Lab. Thus, we have documented within an area of a size fairly typical of a cougar home range (less than 200 square miles), the continued presence of at least one cougar or (alternatively) multiple cougars, over an 8-year period.

To date, we have found cougar DNA in scats from 8 widely separated areas – 4 in the Upper Peninsula, and 4 in the Lower Peninsula. One came from an area near the Menominee and Delta County lines where considerable other evidence of cougars has been found. In 1966, a plaster cast of a track was made after a cougar was seen by two MDNR conservation officers. It was verified as the track of a large cat by University of Michigan Museum staff. In 1984, bone was recovered from an animal wounded by a hunter – it was verified as cougar by the Veterinary Lab at Colorado State University. In 2005, the MDNR issued a press release that verified cougar DNA in hair taken by a state trooper from the car bumper of a motorist who claimed she hit a large cat. All this evidence was from the same area.

In Cheboygan and Presque Isle Counties, the evidence is also compelling. Cougar tracks were found by the Wildlife Conservancy west of Onaway in 2002 and we found scat with cougar DNA in Presque Isle County near Rogers City. Our field research has produced evidence that has been peer-reviewed, and two cougars – in Benzie and Roscommon Counties – were actually seen by researchers during our surveys.

We are not the first to conclude there are cougars in Michigan. The cougar was placed on the state list of endangered species in 1987. This was a direct result of the steady compilation of cougar evidence over the years, especially in the Central Upper Peninsula. In 1994, a book "Endangered and Threatened Wildlife of Michigan," edited by David Evers, was published as the culmination of a long-term project of the Michigan Natural Heritage Program of the MDNR. The sections on mammals were reviewed by six prominent MDNR wildlife biologists and an MDNR forester as well as additional naturalists. The section on cougars states "...several areas throughout its former range, including Michigan, may support small populations of cougars...There also are encouraging signs that the Michigan cougar is not transient but occurs in a self-sustaining population – based on several reliable sightings of adult cougars with kittens...The existence of the cougar in Michigan has only been recently confirmed. Whether individuals are from small, remnant populations that survived human pressures through the last two centuries, transients from the western Great Lakes region, or privately released (or escaped) western subspecies, the cougar needs to be recognized, protected and studied in Michigan's Upper Peninsula."

Our research has shown we also have cougars in the Lower Peninsula. We have confirmed the presence of resident cougars – with established home ranges – in both peninsulas. The areas they occupy have two things in common: 1) the landowners and local officials know they are there, and 2) there have been occasional attacks on livestock that likely have involved cougars. It is the livestock attacks that spark the most public concern and frustrate citizens who encounter what they perceive as bureaucratic nonsense.

A landowner near Onaway in Cheboygan County lost a horse to an apparent cougar attack in 2003, less than a mile from where the Wildlife Conservancy found cougar tracks the previous year. The landowner reported that he saw the cougar. He was told by wildlife officials it was likely a bear. In Kalkaska County, the MDNR's response to an apparent cougar attack was to issue kill permits to local landowners including one who merely reportedly saw a cougar enter his property.

In Dan Robbins' Iron River area, and at Lower Peninsula sites in Emmet, Cheboygan, Jackson, Berrien and other counties, the scenario has been re-played many times. Compelling evidence of cougar attacks on livestock – including horses and cattle – has either been ignored or acknowledged with caveats that absolve wildlife officials of any need to make a meaningful response. The bottom line is that livestock owners are left holding the bag and local anger ends up directed at the cougar. The incentive for the public to take the law into their own hands is obvious.

That is why the Michigan Wildlife Conservancy, with our limited resources, established a Cougar Protection Fund three years ago, with a provision to reimburse livestock owners for cougar attacks. We felt it was necessary to reduce local anger directed at the cougar and to remove the temptation of wildlife officials to issue kill permits (perhaps illegally) for an endangered species. We have also assisted several local law enforcement agencies (and their

state associations) who have had cougar attack cases dumped on them after being told by MDNR officials "it couldn't have been a cougar."

The bill you are considering makes sense. Many law enforcement officials and livestock owners in Michigan will view it as the first injection of common sense into a long-simmering battle between citizens and wildlife officials. It makes no difference to someone who has lost a horse to a cougar whether the predator came from inside or outside the state, or even whether it once spent time in a cage. Their horse is still dead. This bill will wisely by-pass the arguments about the origin of Michigan's cougars – which the MDNR has used as an excuse for its failure to manage cougars as an endangered species. It gets right to the point about protecting personal property and (indirectly) the cougar itself.

We applaud the sponsors of this bill. We are confident that Michigan citizens will view it as a welcomed change from half a century of the kind of needless conflict that Dan Robbins was so concerned about. Thank you for allowing us to address your committee. We will pass out copies of some of the proofs I referred to in my statement and, of course, answer questions. Dr. Patrick Ruzs, Director of Wildlife Programs for the Conservancy, is also here and can address specific questions you may have about our research, or the two necropsies he performed on horses killed by cougars in Southern Michigan.